

**TOWN OF DAVIE**  
**TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Manny Diez, Director, Public Works and Capital Projects, 954-797-1245

**PREPARED BY:** Keith Pursell, Project Manager, Capital Projects, 954-797-1191

**SUBJECT:** Resolution  
Project Name and Location: Playground Installation and  
Replacement at Van  
Kirk Park, Bergeron Park, Driftwood Park, Waverly Park, Sunny  
Lake Park,  
and Liberty Park

**AFFECTED DISTRICT:** District 1, District 2, District 3, and District 4

**ITEM REQUEST:** **Schedule for Council Meeting**

**TITLE OF AGENDA ITEM:** BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID RECOMMENDATION FOR THE SUPPLY AND INSTALLATION OF PLAYGROUND EQUIPMENT (\$409,980)

**REPORT IN BRIEF:** A competitive bid was conducted for the installation and replacement of playground equipment at six (6) parks throughout the Town. The bid was sent to eleven (11) bidders and also posted on the Town's web site. The Town received nine (9) bids. The recommendation is for Kool Playgrounds, LLC as the lowest responsive and responsible bidder for the base bid.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** None

**FISCAL IMPACT:** Yes

Has request been budgeted? Yes

If yes, expected cost: \$ 409,980.00

Account name and number: District 1 Open Space Funds: 030-3006-572-  
6501

District 2 Open Space Funds: 030-3006-572-  
6502

District 3 Open Space Funds: 030-3006-572-  
6503

District 4 Open Space Funds: 030-3006-572-  
6504

If no, amount needed: \$

What account name and number will funds be appropriated from:

Additional Comments:

**RECOMMENDATION(S):** Motion to approve resolution

**Attachment(s):** Town Bid Recommendation, Procurement Authorization, Bid  
Opening Report, Sunbiz Report, Ownership Disclosure Affidavit

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
ACCEPTING THE BID RECOMMENDATION FOR THE SUPPLY  
AND INSTALLATION OF PLAYGROUND EQUIPMENT (\$409,980)

WHEREAS, the Town of Davie is in need of new playgrounds installed at Van Kirk Park, Bergeron Park, Driftwood Park, Waverly Park, Sunny Lake Park, and Liberty Park; and

WHEREAS, the Town of Davie solicited sealed bids for such services; and

WHEREAS, after review, the Town Council wishes to accept the bid from Kool Playgrounds, LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council hereby accepts the bid from Kool Playgrounds, LLC., for supply and installation of playground equipment in the amount of \$409,980.00.

SECTION 2. The Town Council hereby approves the expenditure from the District 1, 2, 3, and 4 Open Space accounts (030-3006-572-6501, 030-3006-572-6502, 030-3006-572-6503, and 030-3006-572-6504).

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009

**MEMORANDUM**

**DATE:** August 14, 2009

**TO:** Herb Hyman  
Procurement Manager

**FROM:** Keith Pursell  
Project Manager, Capital Projects

**RE:** "Supply and install Playground Equipment"  
Bid No. B-09-75

Upon examining the nine (9) bids received on Thursday, July 16, 2009 at 2:00 p.m., staff has rejected the lowest bid by the Leadex Corporation on the grounds that they are unable to comply with the requirement of being ISO 9001 Certified. Therefore, it is our recommendation to award this contract to the lowest responsive bidder, **Kool Playgrounds**, with a base bid of **\$409,980.00**.

	A	B	C	D	E	F	G
1			SUPPLY AND INSTALL PLAYGROUND EQUIPMENT				
2							
3							
4		Leadex Corp	Kool Playgrounds	Play It Safe Ent.	Bliss Products	Advanced Recreational	Dominica Recreation
5							
6							
7	Van Kirk Equipment	\$52,490.00	\$52,350.00	\$53,655.00	\$55,971.00	\$51,377.67	\$60,775.00
8	Van Kirk Deck & Surface	\$12,315.00	\$15,980.00	\$16,250.00	\$14,500.00	\$19,624.96	\$15,600.00
9	Bergeron Equipment	\$52,490.00	\$52,350.00	\$53,655.00	\$55,971.00	\$51,377.67	\$60,775.00
10	Bergeron Deck & Surface	\$12,315.00	\$15,980.00	\$16,250.00	\$14,500.00	\$19,624.96	\$15,600.00
11	Driftwood Equipment	\$52,490.00	\$52,350.00	\$53,655.00	\$55,971.00	\$51,377.67	\$60,775.00
12	Driftwood Deck & Surface	\$12,315.00	\$15,980.00	\$16,250.00	\$14,500.00	\$19,624.96	\$15,600.00
13	Waverly Equipment	\$52,490.00	\$52,350.00	\$53,655.00	\$55,971.00	\$51,377.67	\$60,775.00
14	Waverly Deck & Surface	\$12,315.00	\$15,980.00	\$16,250.00	\$14,500.00	\$19,624.96	\$15,600.00
15	Sunny Lake Equipment	\$52,490.00	\$52,350.00	\$53,655.00	\$55,971.00	\$51,377.67	\$60,775.00
16	Sunny Lake Deck & Surface	\$12,315.00	\$15,980.00	\$16,250.00	\$14,500.00	\$19,624.96	\$15,600.00
17	Liberty Equipment	\$52,490.00	\$52,350.00	\$53,655.00	\$55,971.00	\$51,377.67	\$60,775.00
18	Liberty Deck & Surface	\$12,315.00	\$15,980.00	\$16,250.00	\$14,500.00	\$19,624.96	\$15,600.00
19	<b>TOTAL</b>	<b>\$388,830.00</b>	<b>\$409,980.00</b>	<b>\$419,430.00</b>	<b>\$422,826.00</b>	<b>\$426,015.78</b>	<b>\$458,250.00</b>

	H	I	J	K
1				
2				
3				
4		Playmore	Miracle	Architect
5		West	Recreation	Amenities
6				
7	Van Kirk Equipment	\$68,519.00	\$72,137.00	77894.28
8	Van Kirk Deck & Surface	\$17,500.00	\$19,500.00	63501.64
9	Bergeron Equipment	\$65,292.00	\$72,137.00	77894.28
10	Bergeron Deck & Surface	\$17,500.00	\$19,500.00	63501.64
11	Driftwood Equipment	\$65,292.00	\$72,137.00	77894.28
12	Driftwood Deck & Surface	\$17,500.00	\$19,500.00	63501.64
13	Waverly Equipment	\$65,292.00	\$72,137.00	77894.28
14	Waverly Deck & Surface	\$17,500.00	\$19,500.00	63501.64
15	Sunny Lake Equipment	\$68,519.00	\$77,651.00	77894.28
16	Sunny Lake Deck & Surface	\$17,500.00	\$19,500.00	63501.64
17	Liberty Equipment	\$68,519.00	\$77,651.00	77894.28
18	Liberty Deck & Surface	\$17,500.00	\$19,500.00	\$63,501.64
19	<b>TOTAL</b>	<b>\$506,433.00</b>	<b>\$560,850.00</b>	<b>\$848,375.52</b>

# TOWN OF DAVIE PROCUREMENT AUTHORIZATION

ACCOUNT NUMBER.	BUDGET ITEM & DESCRIPTION	APPROXIMATE COST
✓ 030-3006-572-6501	PLAYEQ Playground Equipment Replacement	\$222,238.00
✓ 030-3006-572-6502	PLAYEQ	\$111,119.00
✓ 030-3006-572-6504	PLAYEQ	\$333,357.00

**Total:** **\$666,714.00**


**METHOD OF PROCUREMENT** (check the one that applies)

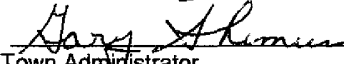
- ☒ Open Competitive Bidding  
☐ Piggyback on Contract Number \_\_\_\_\_  
☐ Sole Source  
☐ Request for Proposals

**SPECIFICATIONS & LIST OF VENDORS MUST BE ATTACHED**

Signed   
Department Head

Have Funds been reserved Res. 38233

Date 6/8/09 Signed 

Signed   
Town Administrator

VENDOR	BIDS SUBMITTED	COST
KOOL PLAYGROUNDS		\$409,980.00
PLAY IT SAFE ENTERPRISES		419,430.00
BLISS PRODUCTS		422,826.00
ADVANCED RECREATIONAL		426,015.78
DOMINICA RECREATION		458,250.00
PLAYMORE WEST		506,433.00
MIRACLE RECREATION EQUIPMENT		560,850.00
ARCHITECTURAL AMENITIES		848,375.00
* LEADIX CORPORATION		388,830.00

\* NON-RESPONSIVE BIDDER - SEE ATTACHED MEMO FROM PUBLIC WORKS/CAPITAL PROJECTS  
 Signed   
 Procurement Manager

BID SPECIFICATION COMMITTEE'S RECOMMENDATION	
Vendor	Cost
KOOL PLAYGROUNDS	\$409,980.00



**BID OPENING REPORT**

BID NAME: Supply & Install Playground Equip.  
 BID NUMBER: B-09-75

TIME: 2:03pm  
 DATE: 7.16.09

ESTIMATED COST: \_\_\_\_\_

NO.	CONTRACTOR'S NAME	BID AMOUNT	COMMERCIAL RANKING
1.	Kool Playgrounds	\$479,980.00	2
2.	Advanced Recreational concepts	\$426,015.78	5
3.	Miracle Recreation Equip. Co.	\$562,850.00	8
4.	Play It Safe Enterprises	\$419,430.00	3
5.	Architectural Amenities	\$483,315.00	9
6.	Playmore West	\$506,433.00	7
7.	Leadex Corporation	\$388,830.00	1
8.	Bliss Products	\$422,826.00	4
9.	Dominica Recreation	\$458,250.00	6
10.			

REMARKS

SPECS SENT TO SEVENTY (70) PROSPECTIVE BIDDERS  
TOWN REC'D NINE (9) BIDS

NOTE: THE ABOVE BID AMOUNTS HAVE NOT BEEN CHECKED, AND BID TOTALS ARE SUBJECT TO CORRECTION AFTER THE BIDS HAVE BEEN COMPLETELY REVIEWED.

THIS IS ONLY A FINANCIAL RANKING OF ALL THE BIDS RECEIVED. THE USING DEPARTMENT IS RESPONSIBLE FOR REVIEWING THE BIDS FOR COMPLIANCE WITH ALL THE BID SPECIFICATIONS PRIOR TO SUBMITTAL OF LETTER OF RECOMMENDATION.

PURCHASING OFFICIAL: Angela Salinas  
 WITNESS: [Signature]

DATE: 7.16.09  
 DATE: 7.16.09

**Request for Taxpayer  
Identification Number and Certification**

Give form to the  
requester. Do not  
send to the IRS.

Print or type See Specific Instructions on page 2	Name (as shown on your income tax return) <b>Kool Playgrounds, LLC</b>	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other <input type="checkbox"/> Exempt from backup withholding	
	Address (number, street, and apt. or suite no.) <b>109 E. 17th Street</b>	
	City, state, and ZIP code <b>St. Cloud, FL 34769</b>	
List account number(s) here (optional)		
Requester's name and address (optional)		

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.


Social security number								
Or								
Employer identification number								
0	2	0	7	7	8	2	9	9

**Part II Certification**

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

**Sign Here** Signature of U.S. person 

Date **7-13-09**

**Purpose of Form**

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

**U.S. person.** Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

In 3 above, if applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

For federal tax purposes, you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or
- Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

I, DENNIS TALBOT, being first duly sworn state that:  
The full legal name and business address of the person(s) or entity contracting with the  
Town of Davie ("Town") are as follows (Post Office addresses are not acceptable):

Name of Individual, Firm, or Organization: KOOL PLAYGROUNDS, LLC  
Address: 109 E. 1TH STREET  
ST. CLOUD, FL 34769  
FEIN 02-0778299  
State and date of incorporation FL 5-16-06

#### OWNERSHIP DISCLOSURE AFFIDAVIT

1. If the contract or business transaction is with a corporation, the full legal name and business address shall be provided for each officer and director and each stockholder who directly or indirectly holds five percent (5%) or more of the corporation's stock. If the contract or business transaction is with a trust, the full name and address shall be provided for each trustee and each beneficiary. All such names and address are as follows (Post Office addresses are not acceptable):

Full Legal Name	Address	Ownership
<u>DENNIS TALBOT</u>	<u>1653 FLOWNDER ST.</u> <u>ST. CLOUD, FL 34771</u>	<u>SD</u> %
<u>STUART KAMBER</u>	<u>8167 PARINI WAY</u> <u>LAKEWORTH, FL 33432</u>	<u>SD</u> %
_____	_____	_____ %
_____	_____	_____ %

2. The full legal names and business addresses of any other individual (other than subcontractors, materialmen, suppliers, laborers, and lenders) who have, or will have, any legal, equitable, or beneficial interest in the contract or business transaction with the Town are as follows (Post Office addresses are not acceptable):

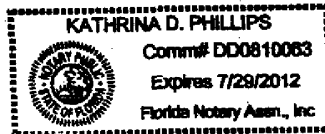
Full Legal Name	Address
<u>N/A</u>	_____
_____	_____
_____	_____
_____	_____

~~SIGNATURE OF AFFIRANT~~

DENNIS TALBOT

Print Name

SUBSCRIBED AND SWORN TO or affirmed before me this 13<sup>th</sup> day of  
JULY 2009, by DENNIS TALBOT, he/she is  
personally known to me or has presented \_\_\_\_\_ as  
identification.



Kathrina D. Phillips  
Notary Public, State of Florida at Large

\_\_\_\_\_  
Print or Stamp of Notary

\_\_\_\_\_  
Serial Number

My Commission Expires : 7/29/12

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DIVISION OF CORPORATIONS

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## **Detail by Entity Name**

### **Florida Limited Liability Company**

KOOL PLAYGROUNDS, LLC

### **Filing Information**

Document Number L06000053580

FEI/EIN Number 020778299

Date Filed 05/18/2006

State FL

Status ACTIVE

### **Principal Address**

109 E. 17TH ST.  
ST. CLOUD FL 34769

Changed 06/14/2007

### **Mailing Address**

109 E. 17TH ST.  
ST. CLOUD FL 34769

Changed 06/14/2007

### **Registered Agent Name & Address**

TALBOTT, DENNIS R  
1653 FLOUNDER STREET  
ST. CLOUD FL 34771 US

### **Manager/Member Detail**

#### **Name & Address**

Title MGR

TALBOTT, DENNIS R  
1653 FLOUNDER STREET  
ST. CLOUD FL 34771

### **Annual Reports**

#### **Report Year Filed Date**

2007 04/10/2007

2008 04/26/2008

2009 04/14/2009

### **Document Images**